

(NOTE: DATE AND TIMES MAY BE OBTAINED FROM RUN SHEET.)

- CONTACTED BY DISPATCH THAT A BOBBY JO CASALE WANTED TO TALK TO SOMEONE ABOUT A "DEADLY CHEMICAL" RELEASE AND LOUD NOISES.
- RETURNED CALL TO MR. CASALE, HE RELATED ABOUT ON GOING PROBLEMS WITH THE HERCULES SITE, THE "FREEPORT WIGGLE", AND THE PROPOSED CONVENTION CENTER.
- ARRANGED TO MEET MR. CASALE AT SNAPPER LANE AND MARLIN SO HE COULD SHOW ME THE PROBLEMS. UPON ARRIVAL MR. CASALE WAS NOT AT THE AGREED LOCATION. I DID NOT DETECT ANY CHEMICAL RELEASES OR LOUD NOISES IN THE AREA WHILE WAITING FOR MR. CASALE.
- AFTER A FEW MINUTES, I DROVE PASS THE HERCULES SITE TO SEE IF MR. CASALE WAS THERE AND TO SEE IF I COULD DETECT ANY PROBLEMS AT HERCULES. NO PROBLEMS WERE DETECTED.
- I DROVE TO MR. CASALE'S RESIDENCE, HE WAS NOT HOME. I MADE CONTACT WITH A NEIGHBOR TO SEE IF HE WAS AWARE OF ANY PROBLEMS. HE WAS NOT AWARE OF ANY.
- I WENT TO THE HERCULES SITE AND MADE CONTACT WITH EMPLOYEES IN THE OFFICE. THEY WERE NOT AWARE OF ANY PROBLEMS AND SAID THAT THERE WAS NO ONE AT THE BARGE CLEANING FACILITY. I DID NOT DETECT ANY CHEMICAL RELEASES OR LOUD NOISES. THERE WAS AN AIR COMPRESSOR RUNNING ON THE SITE.
- MR. CASALE ARRIVED AT THE HERCULES SITE WITH ANOTHER PERSON. I TALKED TO MR. CASALE ABOUT HIS CONCERNS AND HE ALSO TALKED TO THE DISPATCHERS IN THE OFFICE.
- THE HERCULES SUPERVISOR OVER THE BARGE CLEANING WAS CONTACTED AND WAS IN ROUTE TO THE SITE. MR. CASALE CHOSE NOT TO WAIT ON HIS ARRIVAL.
- AFTER HIS ARRIVAL, WE DISCUSSED DETAILS AS TO WHAT BARGE WAS AT THE FACILITY AND THE WORK ACTIVITIES. THERE WAS NO WORK BEING DONE THAT WEEKEND AT THE BARGE FACILITIES.
- TWO HERCULES SUPERVISORS AND MYSELF WENT TO THE FREEPORT POLICE STATION TO MEET WITH CITY PERSONNEL TO DISCUSS THE CONCERNS OF MR. CASALE.
- MR. CASALE CONTACTED ME LATER THAT EVENING ABOUT THE EVENTS THAT TOOK PLACE. HE MADE COMMENTS ABOUT "COVER-UPS" AND HUNG UP ON ME. I CALLED HIM BACK AND ADVISED HIM THAT I JUST SPENT OVER FOUR HOURS ON HIS BEHALF INVESTIGATING HIS PROBLEM AND THAT I WAS NOT APPRECIATIVE OF HIM HANGING UP ON ME.

*Donnie Shoemaker*

FREEPORT FIRE DEPARTMENT  
124 E. 4th P.O. Box 1063  
FREEPORT, TEXAS 77541  
(409) 233-2111

## Fire Report

Month: \_\_\_\_\_ Year: \_\_\_\_\_ Date: 7/30/95 Day of Week: Sunday  
10-8: 1515 10-23: 1520 10-24: 1940 10-7: 1945 In Service time: \_\_\_\_\_  
Correct Address or Location: 135 S. S. S. S.  
Weather Conditions: Overcast / Rain Type of Occupancy: Residence  
Occupant Name: Bobby Casale Phone #: 233-8766  
Owner's Name: Bobby Casale Home Phone #: \_\_\_\_\_  
Owner's Address: 135 S. S. S. S. Work Phone #: \_\_\_\_\_  
Method of Alarm: Telephone Type of Situation Found: False Alarm  
Type of Action Taken: Investigation District: \_\_\_\_\_ Shift: 15  
Area of Origin: (Hood) Hurricane Marine Cause: Unfounded  
Injuries or loss of life: None  
Complex type: \_\_\_\_\_ Fixed Property Use: \_\_\_\_\_  
Construction Type: N/A Roof: N/A  
Estimated Total Dollar Loss: \_\_\_\_\_ Method of Extinguishment: N/A  
Detector Performance: N/A Sprinkler Performance: \_\_\_\_\_  
Loss or damage to equipment: None  
Special Remarks: Suspected to be initial report of "Badly Chemical" and release. Upon arrival, no other detected and nothing was visible.

## Equipment Used

Booster Line: \_\_\_\_\_ Hose: 1 3/4 2 1/2 3 Ladders: \_\_\_\_\_ Hydrant: \_\_\_\_\_  
Feet of Hose used: 1 3/4 2 1/2 3 Air Packs: \_\_\_\_\_  
Spare Bottles: \_\_\_\_\_ Smoke Ejector: \_\_\_\_\_ Aux Pump: \_\_\_\_\_ Extinguishers: \_\_\_\_\_  
Portable Generator: \_\_\_\_\_ Hand Tools: \_\_\_\_\_ Other Equip. Used: \_\_\_\_\_

## INSURANCE RECORD

	Building	Contents
Estimated Value:	_____	_____
Estimated Loss:	_____	_____
Insurance Carried:	_____	_____
Insurance Paid:	_____	_____
Name of Insurance Company:	_____	_____
Address:	_____	Phone #: _____

## Firefighters Responding

1. <u>D. Hernandez</u>	<u>945</u>	16.
2. _____		17.
3. _____		18.
4. _____		19.
5. _____		20.
6. _____		21.
7. _____		22.
8. _____		23.
9. _____		24.
10. _____		25.
11. _____		26.
12. _____		27.
13. _____		28.
14. _____		29.
15. _____		30.

Remarks on back: \_\_\_\_\_

TOTAL F.C3

HER 03121

TO: SUE

HRV-05-93 MED 09:47 ID:HERCULES SHOREBASE TEL NO:1-409-233-1558 #257 P01

05/03/93 11:13

2 4092330067

City of Freeport

P.01

THE CITY OF  
**FREEPORT**

April 28, 1993

Mr. Larry Ballinger  
General Manager  
Hercules Offshore Corp.  
P.O. Drawer 0  
Freeport, Texas 77541

Dear Larry:

The City, at the request of the City Council, has arranged a meeting of all parties involved in the situation between Hercules Offshore Corp. and Mr. Bob Casale. Representatives from the Texas Air Control Board and the Texas Water Commission have been invited to attend, along with representatives of the City of Freeport. The meeting will be Thursday, May 6, 1993 at 10:00 A.M. at the City Hall conference room. If you have any questions, please let me know.

Sincerely,



W. R. Johnson, Fire Chief  
Freeport Fire Department

jls

HER 03122



128 EAST 4TH STREET / FREEPORT, TEXAS 77541 (409) 233-3526

# FAX Cover Sheet

Date/Time	9-26-95	To	Valerie
From	Gary Stone	At	Hercules
At	City of Freeport	Send Before	
Phone/Fax #		Fax #	233-6375
Subject		No. of Pages	3
(INCLUDING COVERSHEET)			

- |  |  |   |
|--|--|---|
| <input type="checkbox"/> Call Me       | <input type="checkbox"/> F.Y.I.          | <input type="checkbox"/> For Your Approval    |
| <input type="checkbox"/> Urgent        | <input type="checkbox"/> By Your Request | <input type="checkbox"/> Per Our Conversation |
| <input type="checkbox"/> Did You Know? | <input type="checkbox"/> Make A Note     | <input type="checkbox"/> Comments Requested   |

FREEPORT FIRE DEPARTMENT  
124 E. 4th P.O. Box 1063  
FREEPORT, TEXAS 77541  
(409) 233-2111

Fire Report

Month#: \_\_\_\_\_ Year#: \_\_\_\_\_ Date: 7/30/95 Day of Week: Sunday  
10-8: 1515 10-23: 1530 10-24: 1940 10-7: 1945 In Service time: \_\_\_\_\_  
Correct Address or Location: 135 Snapper  
Weather Conditions: Overcast w/ rain Type of Occupancy: Residence  
Occupant Name: Bobby Casale Phone #: 2338766  
Owner's Name: Bobby Casale Home Phone #: \_\_\_\_\_  
Owner's Address: 135 Snapper Work Phone #: \_\_\_\_\_  
Method of Alarm: Telephone Type of Situation Found: False Alarm  
Type of Action Taken: Investigation District: \_\_\_\_\_ Shift: B  
Area of Origin: (Hedge) Hercules Marine Cause: Unfounded  
Injuries or loss of life: None  
Complex type: \_\_\_\_\_ Fixed Property Use: \_\_\_\_\_  
Construction Type: N/A Roof: N/A  
Estimated Total Dollar Loss: \_\_\_\_\_ Method of Extinguishment: N/A  
Detector Performance: N/A Sprinkler Performance: \_\_\_\_\_  
Loss or damage to equipment: None  
Special Remarks: Responded to investigation report of "Deadly Chemical" and release. Upon arrival, no odor detected and nothing was visible.

Equipment Used

Booster Line: \_\_\_\_\_ Hose: 1 1/2 1 3/4 2 1/2 3 Ladders: \_\_\_\_\_ Hydrant: \_\_\_\_\_  
Feet of Hose used: 1 1/2 1 3/4 2 1/2 3 Air Packs: \_\_\_\_\_  
Spare Bottles: \_\_\_\_\_ Smoke Ejector: \_\_\_\_\_ Aux Pump: \_\_\_\_\_ Extinguishers: \_\_\_\_\_  
Portable Generator: \_\_\_\_\_ Hand Tools: \_\_\_\_\_ Other Equip. Used: \_\_\_\_\_

INSURANCE RECORD

	Building	Contents
Estimated Value:	_____	_____
Estimated Loss:	_____	_____
Insurance Carried:	_____	_____
Insurance Paid:	_____	_____
Name of Insurance Company:	_____	_____
Address:	_____	Phone #: _____

Firefighters Responding

1. <u>P. Sherman</u>	<u>945</u>	16. _____
2. _____		17. _____
3. _____		18. _____
4. _____		19. _____
5. _____		20. _____
6. _____		21. _____
7. _____		22. _____
8. _____		23. _____
9. _____		24. _____
10. _____		25. _____
11. _____		26. _____
12. _____		27. _____
13. _____		28. _____
14. _____		29. _____
15. _____		30. _____

Remarks on back: \_\_\_\_\_

HER 03124

(NOTE: DATE AND TIMES MAY BE OBTAINED FROM RUN SHEET.)

- CONTACTED BY DISPATCH THAT A BOBBY JO CASALE WANTED TO TALK TO SOMEONE ABOUT A "DEADLY CHEMICAL" RELEASE AND LOUD NOISES.
- RETURNED CALL TO MR. CASALE, HE RELATED ABOUT ON GOING PROBLEMS WITH THE HERCULES SITE, THE "FREEPORT WIGGLE", AND THE PROPOSED CONVENTION CENTER.
- ARRANGED TO MEET MR. CASALE AT SNAPPER LANE AND MARLIN SO HE COULD SHOW ME THE PROBLEMS. UPON ARRIVAL MR. CASALE WAS NOT AT THE AGREED LOCATION. I DID NOT DETECT ANY CHEMICAL RELEASES OR LOUD NOISES IN THE AREA WHILE WAITING FOR MR. CASALES.
- AFTER A FEW MINUTES, I DROVE PASS THE HERCULES SITE TO SEE IF MR. CASALE WAS THERE AND TO SEE IF I COULD DETECT ANY PROBLEMS AT HERCULES. NO PROBLEMS WERE DETECTED.
- I DROVE TO MR. CASALES RESIDENCE, HE WAS NOT HOME. I MADE CONTACT WITH A NEIGHBOR TO SEE IF HE WAS AWARE OF ANY PROBLEMS. HE WAS NOT AWARE OF ANY.
- I WENT TO THE HERCULES SITE AND MADE CONTACT WITH EMPLOYEES IN THE OFFICE. THEY WERE NOT AWARE OF ANY PROBLEMS AND SAID THAT THERE WAS NO ONE AT THE BARGE CLEANING FACILITY. I DID NOT DETECT ANY CHEMICAL RELEASES OR LOUD NOISES. THERE WAS AN AIR COMPRESSOR RUNNING ON THE SITE.
- MR. CASALE ARRIVED AT THE HERCULES SITE WITH ANOTHER PERSON. I TALKED TO MR. CASALE ABOUT HIS CONCERNS AND HE ALSO TALKED TO THE DISPATCHERS IN THE OFFICE.
- THE HERCULES SUPERVISOR OVER THE BARGE CLEANING WAS CONTACTED AND WAS IN ROUTE TO THE SITE. MR. CASALE CHOSE NOT TO WAIT ON HIS ARRIVAL.
- AFTER HIS ARRIVAL, WE DISCUSSED DETAILS AS TO WHAT BARGE WAS AT THE FACILITY AND THE WORK ACTIVITIES. THERE WAS NO WORK BEING DONE THAT WEEKEND AT THE BARGE FACILITIES.
- TWO HERCULES SUPERVISORS AND MYSELF WENT TO THE FREEPORT POLICE STATION TO MEET WITH CITY PERSONNEL TO DISCUSS THE CONCERNS OF MR. CASALE.
- MR. CASALE CONTACTED ME LATER THAT EVENING ABOUT THE EVENTS THAT TOOK PLACE. HE MADE COMMENTS ABOUT "COVER-UPS" AND HUNG UP ON ME. I CALLED HIM BACK AND ADVISED HIM THAT I JUST SPENT OVER FOUR HOURS ON HIS BEHALF INVESTIGATING HIS PROBLEM AND THAT I WAS NOT APPRECIATIVE OF HIM HANGING UP ON ME.

*Donnie Shoemaker*

HER 03125



**Date/Time** 9-26-95  
**From** Gary Stone  
**At City** OF Freeport  
**Phone/Fax #**  
**Subject**

**To** Valerie  
**At** Hercules  
**Send Before**  
**Fax #** 233-6375  
**No. of Pages** 3  
(INCLUDING COVERSHEET)

- ☐ Call Me      ☐ F.Y.I.      ☐ For Your Approval  
☐ Urgent      ☐ By Your Request      ☐ Per Our Conversation  
☐ Did You Know?      ☐ Make A Note      ☐ Comments Requested

FREEPORT FIRE DEPARTMENT  
124 E. 4th P.O. Box 1063  
FREEPORT, TEXAS 77541  
(409) 233-2111

Fire Report

Month#: \_\_\_\_\_ Year#: \_\_\_\_\_ Date: 7/30/95 Day of Week: Sunday  
10-8: 1515 10-23: 1530 10-24: 1940 10-7: 1945 In Service time: \_\_\_\_\_  
Correct Address or Location: 135 Snapper  
Weather Conditions: Overcast w/ Rain Type of Occupancy: Residence  
Occupant Name: Bobby Casale Phone #: 2338766  
Owner's Name: Bobby Casale Home Phone #: \_\_\_\_\_  
Owner's Address: 135 Snapper Work Phone #: \_\_\_\_\_  
Method of Alarm: Telephone Type of Situation Found: False Alarm  
Type of Action Taken: Investigation District: \_\_\_\_\_ Shift: B  
Area of Origin: (Hedged) Hercules Marine Cause: Unfounded  
Injuries or loss of life: None  
Complex type: \_\_\_\_\_ Fixed Property Use: \_\_\_\_\_  
Construction Type: N/A Roof: N/A  
Estimated Total Dollar Loss: \_\_\_\_\_ Method of Extinguishment: N/A  
Detector Performance: N/A Sprinkler Performance: \_\_\_\_\_  
Loss or damage to equipment: None  
Special Remarks: Responded to investigation report of "Deadly Chemical" and release. Upon arrival, no odor detected and nothing was visible.

Equipment Used

Booster Line: \_\_\_\_\_ Hose: 1 1/4 1 3/4 2 1/2 3 Ladders: \_\_\_\_\_ Hydrant: \_\_\_\_\_  
Feet of Hose used: 1 1/4 1 3/4 2 1/2 3 Air Packs: \_\_\_\_\_  
Spare Bottles: \_\_\_\_\_ Smoke Ejector: \_\_\_\_\_ Aux Pump: \_\_\_\_\_ Extinguishers: \_\_\_\_\_  
Portable Generator: \_\_\_\_\_ Hand Tools: \_\_\_\_\_ Other Equip. Used: \_\_\_\_\_

INSURANCE RECORD

Building

Contents

Estimated Value: \_\_\_\_\_  
Estimated Loss: \_\_\_\_\_  
Insurance Carried: \_\_\_\_\_  
Insurance Paid: \_\_\_\_\_  
Name of Insurance Company: \_\_\_\_\_ Phone #: \_\_\_\_\_  
Address: \_\_\_\_\_

Firefighters Responding

1. <u>De Shermida</u>	<u>945</u>	16. _____
2. _____		17. _____
3. _____		18. _____
4. _____		19. _____
5. _____		20. _____
6. _____		21. _____
7. _____		22. _____
8. _____		23. _____
9. _____		24. _____
0. _____		25. _____
1. _____		26. _____
2. _____		27. _____
3. _____		28. _____
4. _____		29. _____
5. _____		30. _____

HER 03127

Remarks on back: \_\_\_\_\_



(NOTE: DATE AND TIMES MAY BE OBTAINED FROM RUN SHEET.)

- CONTACTED BY DISPATCH THAT A BOBBY JO CASALE WANTED TO TALK TO SOMEONE ABOUT A "DEADLY CHEMICAL" RELEASE AND LOUD NOISES.
- RETURNED CALL TO MR. CASALE, HE RELATED ABOUT ON GOING PROBLEMS WITH THE HERCULES SITE, THE "FREEPORT WIGGLE", AND THE PROPOSED CONVENTION CENTER.
- ARRAINGED TO MEET MR. CASALE AT SNAPPER LANE AND MARLIN SO HE COULD SHOW ME THE PROBLEMS. UPON ARRIVAL MR. CASALE WAS NOT AT THE AGREED LOCATION. I DID NOT DETECT ANY CHEMICAL RELEASES OR LOUD NOISES IN THE AREA WHILE WAITING FOR MR. CASALES.
- AFTER A FEW MINUTES, I DROVE PASS THE HERCULES SITE TO SEE IF MR. CASALE WAS THERE AND TO SEE IF I COULD DETECT ANY PROBLEMS AT HERCULES. NO PROBLEMS WERE DETECTED.
- I DROVE TO MR. CASALES RESIDENCE, HE WAS NOT HOME. I MADE CONTACT WITH A NEIGHBOR TO SEE IF HE WAS AWARE OF ANY PROBLEMS. HE WAS NOT AWARE OF ANY.
- I WENT TO THE HERCULES SITE AND MADE CONTACT WITH EMPLOYEES IN THE OFFICE. THEY WERE NOT AWARE OF ANY PROBLEMS AND SAID THAT THERE WAS NO ONE AT THE BARGE CLEANING FACILITY. I DID NOT DETECT ANY CHEMICAL RELEASES OR LOUD NOISES. THERE WAS AN AIR COMPRESSOR RUNNING ON THE SITE.
- MR. CASALE ARRIVED AT THE HERCULES SITE WITH ANOTHER PERSON. I TALKED TO MR. CASALE ABOUT HIS CONCERNS AND HE ALSO TALKED TO THE DISPATCHERS IN THE OFFICE.
- THE HERCULES SUPERVISOR OVER THE BARGE CLEANING WAS CONTACTED AND WAS IN ROUTE TO THE SITE. MR. CASALE CHOSE NOT TO WAIT ON HIS ARRIVAL.
- AFTER HIS ARRIVAL, WE DISCUSSED DETAILS AS TO WHAT BARGE WAS AT THE FACILITY AND THE WORK ACTIVITIES. THERE WAS NO WORK BEING DONE THAT WEEKEND AT THE BARGE FACILITIES.
- TWO HERCULES SUPERVISORS AND MYSELF WENT TO THE FREEPORT POLICE STATION TO MEET WITH CITY PERSONNEL TO DISCUSS THE CONCERNS OF MR. CASALE.
- MR. CASALE CONTACTED ME LATER THAT EVENING ABOUT THE EVENTS THAT TOOK PLACE. HE MADE COMMENTS ABOUT "COVER-UPS" AND HUNG UP ON ME. I CALLED HIM BACK AND ADVISED HIM THAT I JUST SPENT OVER FOUR HOURS ON HIS BEHALF INVESTIGATING HIS PROBLEM AND THAT I WAS NOT APPRECIATIVE OF HIM HANGING UP ON ME.

*Donnie Shoemaker*

HER 03128

Fire	Bridge Harbor	1045	08/31/95	#1130
Complaint	Hercules	1510	07/30/95	#1046
Transformer Fire	Muchowich Docks	0432	07/30/95	#1033
Loud Noise/Bad Gas	Bridge Harbor	0237	07/30/95	#1030
Suppl. Info on burglary of veh.	Muchowich Dock #3	1245	07/22/95	# 757
Burglary of veh. Off. 1579 Ref. 5-93	Bridge Harbor	2011	06/23/95	# 806
Strange Odor	Mitchell's Pier	2102	06/16/95	# 538 unable to locate
Boat fire	Bridge Harbor	243A	06/14/95	# 451
Obnoxious odor	84 Dolphin Ln.	951A	06/13/95	# 417
Welfare suicidal	Muchowich	2118	05/20/95	# 760
Chemical Odor	Bridge Harbor	1638	05/11/95	# 395
Foul odor	Hercules advice given	7116	03/14/95	# 475
Obnoxious odor	135 Snapper Ln.	1343	03/04/95	# 116

HER 03129

Fire	Bridge Harbor	1045	08/31/95	#1130
Complaint	Hercules	1510	07/30/95	#1046
Transformer Fire	Muchowich Docks	0432	07/30/95	#1033
Loud Noise/Bad Gas	Bridge Harbor	0237	07/30/95	#1030
Suppl. Info on burglary of veh.	Muchowich Dock #3	1245	07/22/95	# 757
Burglary of veh. Off. 1579 Ref. 5-93	Bridge Harbor	2011	06/23/95	# 806
Strange Odor	Mitchell's Pier	2102	06/16/95	# 538 unable to locate
Boat fire	Bridge Harbor	243A	06/14/95	# 451
Obnoxious odor	84 Dolphin Ln.	951A	06/13/95	# 417
Welfare suicidal	Muchowich	2118	05/20/95	# 760
Chemical Odor	Bridge Harbor	1638	05/11/95	# 395
Foul odor	Hercules advice given	7116	03/14/95	# 475
Obnoxious odor	135 Snapper Ln.	1343	03/04/95	# 116

HER 03130

AUG 2 P 1995

August 25, 1995

The Honorable Kay Bailey Hutchinson  
961 Federal Building  
300 E. 8th street  
Austin, Texas 78703

Dear Senator Hutchinson,

We would like to bring to your attention a critical matter with respect to a barge cleaning facility located in Freeport, Texas; the barge cleaning facility is called Hercules Marine Service and Shipyard. This facility is engaged in receiving barges from nearby industry. Hercules' primary job is to clean and remove vapor laden waste sludges from the barges during maintenance.

Our concern is that Hercules' has been releasing toxic and noxious gases into the air adjacent to our subdivision, a problem which has been ongoing for 13 years without any relief! Despite numerous complaints to city officials and to the state--Texas Natural Resource Conservation Commission--the fact is that nothing has been done to help protect the health and safety of citizens in our neighborhood. We ask why the state's TNRCC (the Houston office) has failed to write violations at Hercules or to promptly respond to our complaints? If the Houston office of TNRCC had been doing its job, then Hercules would have cleaned up its act and we could live more safely and peacefully instead of appealing to you for help.


One enclosure shows a list of residents who signed a petition in 1993. The most recent petition is dated July 29 - 30, 1995. An August 22, 1995 news article is enclosed about our appearance before city council which resulted as usual in no action by the city of Freeport to help the neighborhood. We want to emphasize that the residents are not asking for Hercules to shut down, but to operate in compliance with state and federal clean air laws intended to protect the public.

According to the newspaper article on August 22, 1995, "Dixie Carrier" admitted that "the barge was carrying ethylene dichloride, a chemical he said is 'highly toxic.'" This barge was on the Hercules location being cleaned on July 29 - 30, 1995. The following Monday residents complained to the state TNRCC who did nothing as of today--one month later! We mention the ethylene dichloride barge cleaning incident specifically because Hercules has no permit or authorization from the state TNRCC to handle such a toxic chemical, according to state officials. We ask why no permit violations have been cited against Hercules when this is a flagrant violation! And how many other toxic chemicals have been handled at Hercules without the state's permission? The ethylene dichloride smell was so bad in the neighborhood that many residents became ill. Why do the barges vent in our neighborhood?

Hercules has frequently caused air pollution so bad that residents become ill and its hard to breathe, but the state TNRCC has failed to cite Hercules for a single nuisance violation due to the horrible air pollution. Sometimes it stinks and makes residents ill even on weekends but TNRCC is no where to be found. What is our taxpayers money used for if TNRCC is useless? In Houston, they tell us it takes two or three weeks to respond to complaints in Freeport.

We ask for your immediate help to resolve once and for all this critical situation.

Thank you,

  
Bob Casale  
135 Snapper Lane  
Freeport, Texas 77541 (409-233-5346 Home phone)

cc: The Honorable Phil Gramm and the Honorable Greg Laughlin

HER 03131

Bob Casale  
Rt. 3 - 135 Snapper Lane  
Freeport, Texas 77541

October 10, 1989

City of Freeport Administration  
128 East 4th Street  
Freeport, Texas 77541

Dear Sirs:

We are bringing a continuous problem to your attention which we have complained about for several years.

The subject matter is the operation of Fish Engineering and Hercules Off-Shore Drilling Company.

We have enclosed a letter dated October 5, 1989 to that Company.

In general our complaints have been the exposure to dangerous chemicals, exposure to sand-blasting materials, and the loud abusive noises.

Each time we have complained to the city manager, the health department, members of city council, also to Mayor Alan Faulk and past Mayor Mark Vanderveer we have received no response to curtail the operation or safe-guard the health and safety of the adjacent residences.

As the October 5, 1989 letter indicates the present Company is engaged in the barge cleaning process. There is one case in particular that the residents were heavily exposed to benzene gas. I called the city manager and asked if he would send the health officer to investigate the matter. Two hours had passed and no-one appeared from the city to investigate. I then called back and the operator told me everyone had gone to lunch; apparently lunch is more important to the city than to go out and investigate persons who are being exposed to dangerous gases. Finally about three days later a city health officer and a member of the Texas Air Control Board came to the scene. At that point we had a lengthy discussion as to the problems we are having with these companies. At that time we again showed pictures of the leaves of the trees that had died due to chemical releases.

Dangerous chemicals are extracted from the barges and vents are being opened exposing residents to gas releases. There has been several incidents where the barges are brought in at night and the hatches are being opened during the time that the residents are sleeping; making us un-aware of the danger until morning.

The continuous sand-blasting which sometimes starts at 7:30 a.m. till dark has caused us many problems. We are unable to open our windows; our automobiles have been damaged and covered with the over-spray. Our downstairs patio is also always filled with

HER 03132

000455

particles of the sand-blasting. When we attempt to breath outdoors our lungs, throat, eyes and nose are filled with the particles. As we write this letter at 6:00 p.m. the sand-blasting is taking place. A cloud of dust can be visually seen. We are unable to open windows, the high pressure screeching sound from the sand-blasting can be heard from the furthest room in our home.

About a month ago I requested that Mayor Alan Faulk meet me at my house to investigate this matter. When he visited, I showed him the close proximity of this business to our residences. He agreed that we do have a problem. I then showed him our downstairs patio; and asked him to rub his hand over the thick debris on a table top which was filled with over-spray from the business. I then asked him to investigate this matter further; as to what remedies can be taken to curtail and cease the annoying and dangerous process.

Three days past without word from Mayor Alan Faulk. I called him; to ask if he had finish his investigation. He responded that he had finish his investigation. He responded that he had talked to the city manager and city attorney and they said nothing could be done by the city because the city re-zoned the land to conduct that type of business. I told him, in the future, I wish to add on to my house, he said "quote" that you "Bob Casale" should straighten out that problem "being Hercules" before you add on to your house. He also told me that I should call Marvin Zindler from T.V. channel 13 in Houston; to have him investigate; maybe he could do something.

If I ever experienced dereliction of duty, from a governmental official this is a prime example.

We have also mentioned about the loud abusive noise. Many times during the operational phase of this business they bang on barges and the sounds are heard through-out the subdivision.

The recorded facts relate that the business location has caused these problems for many years.

On April 17, 1989 the city of Freeport held a city council and planning commission public hearing to re-zone several parcels of land in and around the Bridge Harbor Subdivision, including the business in question. After hearing from approximately thirty persons opposing this zone change, the city ignored the complaints and went on to re-zone the land from light manufacturing to water-front heavy. This action to us was pure irresponsible and deliberate unconcern for the health and safety for near-by residence; knowing the dangerous consequence and nuisance that this change made.

Several times officials with the Texas Air Control Board told me that I should call the city of Freeport so that they could make an immediate investigation. I was told by city officials that the city did not have a qualified person to investigate.

000456

HER 03133

As of this date we are requesting that the city of Freeport contact the County Health Department for assistance. I have had several discussions with County Judge John Damon and he stated that their office would assist if requested by the City of Freeport.

About 12:45 p.m. October 11, 1989 I met Robby Blair on the corner of Snapper and Marlin Lane. He told me that he was investigating that morning's complaint. I showed him the over-spray blowing over the city street and pointed out the loud blasting noise. I also told him that he should talk to the shrimper Danny Marches working about two hundred feet from us, and adjacent to the barge being sand-blasted. He refused to go. I then went to Danny Marches and told him what had happen.

In summary we wish to inform, that city officials, have a moral and legal responsibility to the people and have a duty to safeguard the safety and welfare of the citizens.

As of this date we find no documentation where the city of Freeport has made any attempt to safe-guard and protect the citizens in this case.

We here-by notify the city officials, who were responsible for the damaging zone changes and allowing the problems to occur past and present; that we are holding them responsible for damages to health and property in this case.

In trust, we hope the city officials who are in-powered to act, and according to law; to safe-guard the citizens in this case, and act with diligence.

Thank You,

*Bob Casale*  
*Stella Casale*  
Bob and Stella Casale

cc:

Mayor Alan Faulk  
Councilman:  
Jim Phillips  
Milan Miller  
John Stanford  
Horace Owings  
Brazoria County Health Department

Texas Air Control Board  
EPA  
Jim Mattox - Texas Attorney General  
J.E. "Buster" Brown - State Senator  
John Willy - State Representative  
Tom Delay - U.S. Representative

HER 03134

000457

\*\*\*\*\* UF-350 \*\*\*\*\* -JOURNAL- \*\*\*\*\* DATE OCT-16-1989 \*\*\*\*\* TIME 07:35 \*\*\*\*\*

NO.	CON	FOI	DURATION	REF	IDENTIFICATION	DATE	TIME	DIAGNOSTIC
00	0	04	00:03:05	INT	T	17132854063	OCT-16 07:20	340440AC0800

-FHEB 2:06 MARINE CRN 0001-

\*\*\*\*\* -FHEBONIC- \*\*\*\*\* 405 203 6375- \*\*\*\*\*

HER 03135





Strength through experience, equipment, know-how  
11381 Meadowglen Lane □ Houston, Texas 77082 (713) 497-7934

MARINE DIVISION  
TELEFAX TRANSMITTAL

TELEPHONE NO: 409/233-6371

TELEFAX: 409/233-6375

FROM: Raym Mickey DATE: 10-16-89

Number of Pages (including transmittal) 4. Please advise if you  
do not receive message in its entirety.

TO: Raymond  
C/O Hercules

FAX #: \_\_\_\_\_

MESSAGE: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

CC: \_\_\_\_\_

CHARGE NO: \_\_\_\_\_



HER 03136

11  
Bob Casale  
Rt. 3 - 135 Snapper Lane  
Freeport, Texas 77541

October 5, 1989

Hercules  
General Manager  
Rt.3 - 904 Marlin Lane  
Freeport, Texas 77541

Dear Sir:

For the past year that your company has been in business at the Freeport location adjacent to Bridge Harbor Subdivision, we have had major problems with your operation. As you know prior to your business being operated at that location we have had similar problems with the previous owners.

In the past and recently we have informed you of several issues which are damaging to our health and property.

First issue being the opening of chemical barges: I have been informed by the Texas Air Control Board and the EPA as to the hazardous materials your operation handles. In the past there has been times that our house and the subdivision were filled with the odor of styrene and benzene gas.

As you know it is un-lawful to open chemical hatches in the intercoastal water-way. We are concerned why your company would continue to operate in such a close proximity to residence.

Our second concern is your sand blasting operation. We have called you numerous times complaining about the over spray of the sand blasting entering our house and causing damage to our house and automobiles. I understand that the Texas Air Control Board cited you recently for that problem; but to no avail you continue your damaging practice.

Our third concern is the banging of barges all hours of the day and night. Your operation is a seven day a week; twenty four hours a day nuisance. Each time we call you about the noise, you increase the noise to annoy us even more.

Our fourth concern is the out-door loud speaker that you operate. We have called your attention to this many times and you continue to operate so that it's heard through-out the subdivision.

As you know at the time of our complaints we have called the Community Awareness and Emergency Response organization and called Mr. Jim Overman with Dow Chemical who investigated several complaints. Showing concern I was told by Mr. Overman that at

one time Dow refused sending you barges because of your mis-handling. I was also told by BASF Corporation that they do not send barges to your business because of mis-handling.

We have experience sick conditions such as watery eyes, tightness of the chest, headaches and nasal congestion. At one time the chemicals from your operation killed all the leaves from the trees on the east side, through-out the whole subdivision.

We are informing your organization that we are holding you responsible and liable for any and all damages including health and property to us and demand that your operation cease to allow chemical gases and over spray of sand blasting to affect our home environment.

We trust that you take this matter into very critical consideration.

Thank You,

*Bob Casale*  
*Stella Casale*

Bob and Stella Casale

cc:  
Air Control Board  
City of Freeport  
U.S. Coast Guard - Galveston  
EPA - Dallas  
Tom Delay U.S. Representative  
J.E. "Buster" Brown - State Senator  
John Willy State Representative  
State Attorney General

Residence of Bridge Harbor Subdivision:  
Letter dated October 5, 1989

JEFF FOURRIER  
66 MARLIN  
FREEPORT, TX 77541  
233-3605

DENNIS + JOANN HENRICE  
RT 2 BOX 117C  
Bay C. + 4 T. 77541  
116 RED FISH  
FREEPORT TX 77541

B.K. Schnappins :  
DEACSA Schnappins  
PO Box 3010-A  
118 Red Fish Lane.  
Freeport, TX 77541

Ruth Busby  
RT #3 Box 63 marlin  
Freeport, TX 77541  
233-4817

Boyle Lewis  
RT #3 Box 61 marlin  
Freeport TX 77541  
233-0288

Julie Cunsworth  
92 Dolphin Ln  
Freeport, TX 77541  
409-233-7435

James & Dorothy Kerrung  
101 Dolphin Lane  
Freeport Texas 77541

BOB J. ARMSTRONG  
38 TARPON LANE  
265-5432

DANNY MAUCHES  
MARLIN LANE (SHIRLEY BOAT)  
233-3466 (MISS ME NE)

BEN SCHNAPF  
82 DOLPHIN, LN.  
233-3416 -

Mike Momen  
87 Dolphin Ln. Rt. 3  
Freeport, Tex. 77541  
409-233-7227

Yard Inspection by Fire Marshall;

On Wednesday Nite, 8-12-92 @ 11:00 P.M. I recieved a call from Doc Adams of Dow Environmental. He stated that he had recieved a call from one of our neighbors complaining of a strong odor. I called Jessie to find out what barges were on the yard & what they contained. The two barges on the yard were gas free and there was no barge in the clearing slip. I walked the yard and found nothing to substantiate the complaint. I called Doc back and told him we were clear. As I was hanging up, the fire Marshall of Freeport drove onto the yard. He asked me to escort him around the yard. I called Jerry Balinger and informed him of the situation. He told me to allow the Marshall to inspect the yard. I called Jim & told him what was going on and that I would be away from the phone a few minutes. The fire Marshall found nothing as a basis for complaint. I called Jerry and Jim and told them we were O.K. As the fire Marshall was leaving the Police pulled up. He told them we were all clear. No odor was coming from our yard. They both then left.

Ray Pittman

INCIDENT REPORT

DATE: 08/13/92

AT APPROXAMINTLY 22:45 HRS. ON 08/12/92 THIS WRITER WAS CONTACTED BY THE FIRE DEPARTMENT TO INVESTIGATE THE REPORT OF UNKNOWN CHEMICALS BEING VENTED INTO THE ATMOSPHERE AT THE HERCULES BARGE COMPANY. I CONTACTED THE COMPLAINANT BOBBY JOE CASALE AT HIS RESIDENCE ON SNAPPER LANE, IN BRIDGE HARBER SUB DIVISION. HE SHOWED ME WHAT APPEARED TO BE SOME FORM OF PRODUCT VENTING OFF FROM A BARGE LOCATED ON THE HERCULES SITE. AFTER ADVISING MR. CASALE OF MY INTENTIONS I ENTERED THE MAIN GATE OF HERCULES AND MET WITH ROY PITTMAN OF THE OFF SHORE DIVISION. AFTER EXPLAINING THE COMPLAINT FILED, WE WALKED DOWN TO THE WORK AREA CONTAINING THE BARGE IN QUESTION. THE WORK BEING DONE AT THAT TIME WAS SAND BLASTING AND PAINTING. DURING MY INVESTIGATION I FOUND NO BARGE IN THE CLEANING CANAL OR ANY BARGE WAITING TO BE CLEANED.

MR. PITTMAN INFORMED ME THAT THE BARGE BEING WORKED ON HAD BEEN THERE TWO WEEKS AND HAD COME TO THEM CLEAN. THE PRODUCT BEING VENTED WAS ACTUALLY SAND BEING EXHAUSTED FROM THE INTERIOR OF THE BARGE AS THEY WERE BLASTING. A PAINT CREW WAS WORKING AT THE FRONT OF THE BARGE AND THAT OPERATION APPEARED TO BE NORMAL. AT THE TIME OF MY INVESTIGATION I FOUND NO IMMEDIATE HAZARD WITH ANY OPERATION ON SITE. AFTER CONFIRMING BY RADIO TO THE FIRE DEPT. AND THE FREEPORT P.D. THAT EVERYTHING APPEARED TO BE OK, I RETURNED TO MR. CASALE'S TO EXPLAIN MY FINDINGS. THE FOLLOWING AFTERNOON I RETURNED TO THE HERCULES FACILITY ON A FOLLOW UP COMPLAINT OF ODOR. DARREL GIDRY, PROJECT MGR. AND I WALKED THE PROPERTY ONLY TO FIND THAT THERE WERE NO OBNOXIOUS ODORS TO BE FOUND.

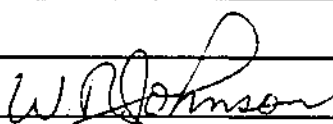


RON GAINES  
FIRE MARSHAL  
CITY OF FREEPORT

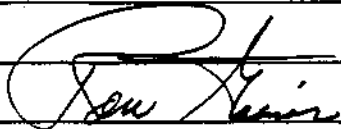
HER 03141

DATE: May 6, 1992 TIME: 11:45PM RUN NUMBER: 92FP238  
LOCATION OF INCIDENT: Hercules Offshore Drilling Company  
TYPE OF INCIDENT: Request for Texas Air Control Board

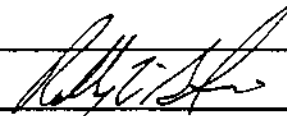
DESCRIBE INCIDENT IN DETAIL: This Officer received a telephone call from the Freeport  
Police Department at 11:45 A.M. on May 6, 1992, inreguards to a telephone call they  
had received from Linda Vasse of the Texas Air Control Board in <sup>(Austin)</sup> Austin, Texas  
Ms. Vasse advised that she had received a call from a citizen advising that Hercules  
Offshore Drilling Company located at 906 Marlin Drive in Freeport, Texas, had opened  
a barge that had contained "Benzene", releasing fumes that had forced the nearby  
resident from his home. I contacted Fire Marshal Ron Gaines and Code Enforcement  
Officer Robby Blair to accompany me to the scene. Upon our arrival at approximately  
12:10PM we meet with an employee named Juan who escorted us out to three (3) barges  
located in a slip. Also accompaning us was Freeport Police Officer Sgt. T. Smith.  
We climbed aboard the barges and walked around, but were not able to smell any strong  
odors. The Hercules employee stated that they had not opened any newly received barges.  
that these barges had been in the slip for several days. We could not locate any  
source of the strong odors. We left the scene at approximately 12:45PM.



W. R. Johnson  
Fire Chief



Ron L. Gaines  
Fire Marshal



Robby Blair  
Code Enforcement Officer

RECEIVED

MAY 21 1992

HERCULES OFFSHORE  
MARINE DIVISION

SIGNATURE: 

DATE: 5-14-92

TIME: 14:20pm

HER 03142



126 EAST 4TH STREET / FREEPORT, TEXAS 77541 / (409) 233-3526

**RECEIVED**

MAY 06 1993

April 28, 1993

**HERCULES OFFSHORE  
MARINE DIVISION**

Mr. Larry Ballinger  
General Manager  
Hercules Offshore Corp.  
P.O. Drawer 0  
Freeport, Texas 77541

Dear Larry:

The City, at the request of the City Council, has arranged a meeting of all parties involved in the situation between Hercules Offshore Corp. and Mr. Bob Casale. Representatives from the Texas Air Control Board and the Texas Water Commission have been invited to attend, along with representatives of the City of Freeport. The meeting will be Thursday, May 6, 1993 at 10:00 A.M. at the City Hall conference room. If you have any questions, please let me know.

Sincerely,

W. R. Johnson, Fire Chief  
Freeport Fire Department

jls

**HER 03143**





128 EAST 4TH STREET, FREEPORT, TEXAS 77541-4091 233-2526

**RECEIVED**

MAY 0 6 1993

April 28, 1993

**HERCULES OFFSHORE  
MARINE DIVISION**

Mr. Larry Ballinger  
General Manager  
Hercules Offshore Corp.  
P.O. Drawer O  
Freeport, Texas 77541

Dear Larry:

The City, at the request of the City Council, has arranged a meeting of all parties involved in the situation between Hercules Offshore Corp. and Mr. Bob Casale. Representatives from the Texas Air Control Board and the Texas Water Commission have been invited to attend, along with representatives of the City of Freeport. The meeting will be Thursday, May 6, 1993 at 10:00 A.M. at the City Hall conference room. If you have any questions, please let me know.

Sincerely,

W. R. Johnson, Fire Chief  
Freeport Fire Department

jls

HER 03144

INCIDENT REPORT

DATE: 08/13/92

AT APPROXAMINTLY 22:45 HRS. ON 08\12\92 THIS WRITER WAS CONTACTED BY THE FIRE DEPARTMENT TO INVESTIGATE THE REPORT OF UNKNOWN CHEMICALS BEING VENTED INTO THE ATMOSPHERE AT THE HERCULES BARGE COMPANY. I CONTACTED THE COMPLAINANT BOBBY JOE CASALE AT HIS RESIDENTS ON SHAPPER LANE, IN BRIDGE HARBER SUB DIVISION. HE SHOWED ME WHAT APPEARED TO BE SOME FORM OF PRODUCT VENTING OFF FROM A BARGE LOCATED ON THE HERCULES SITE. AFTER ADVISING MR. CASALE OF MY INTENTIONS I ENTERED THE MAIN GATE OF HERCULES AND MET WITH ROY PITTMAN OF THE OFF SHORE DIVISION. AFTER EXPLAINING THE COMPLAINT FILED, WE WALKED DOWN TO THE WORK AREA CONTAINING THE BARGE IN QUESTION. THE WORK BEING DONE AT THAT TIME WAS SAND BLASTING AND PAINTING. DURING MY INVESTIGATION I FOUND NO BARGE IN THE CLEANING CANAL OR ANY BARGE WAITING TO BE CLEANED.

MR. PITTMAN INFORMED ME THAT THE BARGE BEING WORKED ON HAD BEEN THERE TWO WEEKS AND HAD COME TO THEM CLEAN. THE PRODUCT BEING VENTED WAS ACTUALLY SAND BEING EXHAUSTED FROM THE INTERIOR OF THE BARGE AS THEY WERE BLASTING. A PAINT CREW WAS WORKING AT THE FRONT OF THE BARGE AND THAT OPERATION APPEARED TO BE NORMAL. AT THE TIME OF MY INVESTIGATION I FOUND NO IMMEDIATE HAZARD WITH ANY OPERATION ON SITE. AFTER CONFIRMING BY RADIO TO THE FIRE DPT. AND THE FREEPORT P.D. THAT EVERY THING APPEARED TO BE OK, I RETURNED TO MR. CASALE'S TO EXPLAIN MY FINDINGS. THE FOLLOWING AFTERNOON I RETURNED TO THE HERCULES FACILITY ON A FOLLOW UP COMPLAINT OF ODOR. DARREL GIDRY, PROJECT MGR. AND I WALKED THE PROPERTY ONLY TO FIND THAT THERE WERE NO OBNOXIOUS ODORS TO BE FOUND.

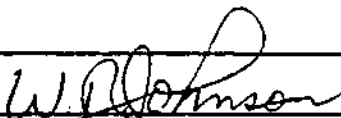


RON GAINES  
FIRE MARSHAL  
CITY OF FREEPORT

HER 03145

DATE: May 6, 1992 TIME: 11:45PM RUN NUMBER: 92FP238  
LOCATION OF INCIDENT: Hercules Offshore Drilling Company  
TYPE OF INCIDENT: Request for Texas Air Control Board

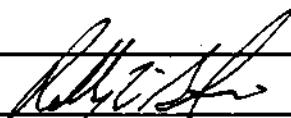
DESCRIBE INCIDENT IN DETAIL: This Officer received a telephone call from the Freeport  
Police Department at 11:45 A.M. on May 6, 1992, inreguards to a telephone call they  
had received from Linda Vasse of the Texas Air Control Board in <sup>(Austin)</sup> Austin, Texas  
Ms. Vasse advised that she had received a call from a citizen advising that Hercules  
Offshore Drilling Company located at 906 Marlin Drive in Freeport, Texas, had opened  
a barge that had contained "Benzene", releasing fumes that had forced the nearby  
resident from his home. I contacted Fire Marshal Ron Gaines and Code Enforcement  
Officer Robby Blair to accompany me to the scene. Upon our arrival at approximately  
12:10PM we meet with an employee named Juan who escorted us out to three (3) barges  
located in a slip. Also accompanying us was Freeport Police Officer Sgt. T. Smith.  
We climbed aboard the barges and walked around, but were not able to smell any strong  
odors. The Hercules employee stated that they had not opened any newly received barges.  
that these barges had been in the slip for several days. We could not locate any  
source of the strong odors. We left the scene at approximately 12:45PM.



W. R. Johnson  
Fire Chief



Ron L. Gaines  
Fire Marshal



Bobby Blair  
Code Enforcement Officer

RECEIVED

MAY 01 1992

HERCULES OFFSHORE  
MARINE DIVISION

SIGNATURE: 

DATE: 5-14-92

TIME: 14:20pm

HER 03146

## COMPLAINT RECORD

NO. 845 DATE 7-19-96 TIME 21:46 OPERATOR ASL

COMPLAINANT Bobby Joe Cassell

ADDRESS \_\_\_\_\_ PHONE 233-5346

LOCATION \_\_\_\_\_

NATURE OF CALL (CALL) Chief Malby - Mosquito Tank Repair

DIRECT \_\_\_\_\_ 911 \_\_\_\_\_ RADIO \_\_\_\_\_ TTY \_\_\_\_\_

OFFICER Malby ASSIGNED 2147 ARRIVED \_\_\_\_\_ COMPLETED \_\_\_\_\_

REMARKS \_\_\_\_\_

DISPOSITIONS Called Complainant

OFF # \_\_\_\_\_ REF # \_\_\_\_\_ ADVICE GIVEN \_\_\_\_\_ UTL \_\_\_\_\_ GOA \_\_\_\_\_

WRECKER \_\_\_\_\_ ROTATION \_\_\_\_\_ REQUEST \_\_\_\_\_

YEAR/MAKE \_\_\_\_\_ MODEL \_\_\_\_\_ LICENSE \_\_\_\_\_ COLOR \_\_\_\_\_

VDD \_\_\_\_\_ STREET \_\_\_\_\_ WATER \_\_\_\_\_ SEWER \_\_\_\_\_

NAME \_\_\_\_\_ STA \_\_\_\_\_ FIRE \_\_\_\_\_ PARKS \_\_\_\_\_ ACO \_\_\_\_\_

NOTIFICATIONS PAGED ADVISED ARRIVAL COMPLETED

1 \_\_\_\_\_

2 \_\_\_\_\_

3 \_\_\_\_\_

4 \_\_\_\_\_

HER 03147

## COMPLAINT RECORD

NO. 990 DATE 6/22/96 TIME 0944 OPERATOR Barn  
COMPLAINANT BOBBY CASALE  
ADDRESS 135 SNAPPER LN PHONE 233-5346  
LOCATION 135 SNAPPER LN  
NATURE OF CALL NEIGHBORS DOG DEFECATING IN HIS YARD  
DIRECT T 911 \_\_\_\_\_ RADIO \_\_\_\_\_ TTY \_\_\_\_\_

OFFICER BARNETT ASSIGNED 0945 ARRIVED 0945 COMPLETED 95

REMARKS NEIGHBOR DOG DEFECATING IN MR. CASALE  
YARD 2:00AM 6/22/96

DISPOSITIONS ADVISE GIVEN. REFER TO CAPT. BARNETT  
& ACO

OFF # \_\_\_\_\_ REF # \_\_\_\_\_ ADVICE GIVEN X UTL \_\_\_\_\_ GOA \_\_\_\_\_

WRECKER \_\_\_\_\_ ROTATION \_\_\_\_\_ REQUEST \_\_\_\_\_

YEAR/MAKE \_\_\_\_\_ MODEL \_\_\_\_\_ LICENSE \_\_\_\_\_ COLOR \_\_\_\_\_

VDD \_\_\_\_\_ STREET \_\_\_\_\_ WATER \_\_\_\_\_ SEWER \_\_\_\_\_

NAME \_\_\_\_\_ STA \_\_\_\_\_ FIRE \_\_\_\_\_ PARKS \_\_\_\_\_ ACO \_\_\_\_\_

NOTIFICATIONS PAGED ADVISED ARRIVAL COMPLET

HER 03148

## COMPLAINT RECORD

NO. 986 DATE 042096 TIME 1800 OPERATOR Stone  
COMPLAINANT Bobby Cassa  
ADDRESS \_\_\_\_\_ PHONE 283-5346  
LOCATION Marlin Lane  
NATURE OF CALL Bank Truck Driving high Rate  
DIRECT T 911 \_\_\_\_\_ RADIO \_\_\_\_\_ 800 Speed TTY \_\_\_\_\_  
OFFICER Naney ASSIGNED 1820 ARRIVED 1844 COMPLETED 1848  
REMARKS \_\_\_\_\_  
DISPOSITIONS UTL  
OFF # \_\_\_\_\_ REF # \_\_\_\_\_ ADVICE GIVEN \_\_\_\_\_ UTL X GOA \_\_\_\_\_  
WRECKER \_\_\_\_\_ ROTATION \_\_\_\_\_ REQUEST \_\_\_\_\_  
YEAR/MAKE \_\_\_\_\_ MODEL \_\_\_\_\_ LICENSE \_\_\_\_\_ COLOR \_\_\_\_\_  
VDD \_\_\_\_\_ STREET \_\_\_\_\_ WATER \_\_\_\_\_ SEWER \_\_\_\_\_  
NAME \_\_\_\_\_ STA \_\_\_\_\_ FIRE \_\_\_\_\_ PARKS \_\_\_\_\_ ACO \_\_\_\_\_  
NOTIFICATIONS \_\_\_\_\_ PAGED \_\_\_\_\_ ADVISED \_\_\_\_\_ ARRIVAL \_\_\_\_\_ COMPLETE \_\_\_\_\_

HER 03149

## COMPLAINT RECORD

NO 477 DATE 033196 TIME 1541 OPERATOR STONE

COMPLAINANT BOBBY CASSEL

ADDRESS 135 SNAPPER LANE PHONE 233-5346

LOCATION 135 SNAPPER LANE

NATURE OF CALL ADVISE IN REFERENCE TO DOG

DIRECT T 911        RADIO        TTY       

OFFICER BRINKMAN ASSIGNED 1541 ARRIVED 1551 COMPLETED 1611

REMARKS COMPLAINT IN REFERENCE TO NEIGHBOR'S DOG IN YARD

DISPOSITIONS AG IN REFERENCE TO WATERING NEIGHBOR'S YARD

OFF #        REF #        ADVICE GIVEN        UTL        GOA       

WRECKER        ROTATION        REQUEST       

YEAR/MAKE        MODEL        LICENSE        COLOR       

VDD        STREET        WATER        SEWER       

NAME        STA        FIRE        PARKS        ACO       

NOTIFICATIONS PAGED ADVISED ARRIVAL COMPLETED

1         
2         
3         
4         
5       

HER 03150

## COMPLAINT RECORD

NO. 524 DATE 03/596 TIME 1842 OPERATOR Strom

COMPLAINANT Bob Cassale

ADDRESS 135 Snapper Ln PHONE 233-5346

LOCATION same

NATURE OF CALL Dog

DIRECT \_\_\_\_\_ 911 \_\_\_\_\_ RADIO \_\_\_\_\_ TTY \_\_\_\_\_

OFFICER Wallace ASSIGNED 1842 ARRIVED \_\_\_\_\_ COMPLETED \_\_\_\_\_

REMARKS \_\_\_\_\_

DISPOSITIONS \_\_\_\_\_

OFF # \_\_\_\_\_ REF # \_\_\_\_\_ ADVICE GIVEN \_\_\_\_\_ UTL \_\_\_\_\_ GOA \_\_\_\_\_

WRECKER \_\_\_\_\_ ROTATION \_\_\_\_\_ REQUEST \_\_\_\_\_

YEAR/MAKE \_\_\_\_\_ MODEL \_\_\_\_\_ LICENSE \_\_\_\_\_ COLOR \_\_\_\_\_

VDD \_\_\_\_\_ STREET \_\_\_\_\_ WATER \_\_\_\_\_ SEWER \_\_\_\_\_

NAME \_\_\_\_\_ STA \_\_\_\_\_ FIRE \_\_\_\_\_ PARKS \_\_\_\_\_ ACO \_\_\_\_\_

NOTIFICATIONS PAGED ADVISED ARRIVAL COMPLETED

1 \_\_\_\_\_

2 \_\_\_\_\_

3 \_\_\_\_\_

HER 03151



(409) 239-1211

700 Chief Ken Maltby  
701 Capt. Gary Bake✓  
702 Capt. Henrietta Gonzalez  
703 Lt. Mike McEnany  
704 Sgt. John Rerich  
705 Sgt. Allen Lawson  
710 Cpl. John Newton  
711 Danny Gillchriest  
712 Buddy DeVillier  
713 Coy Barnett  
714 Tony Standley  
715 Vincent Garcia  
716 Jerry Ross  
717 Ed Nanez  
718 Ronny Baker  
719 Tyrone Valentine  
720 Mike Goodson  
721 Cory Brinkman  
722 John Rhyne  
723 Scott Leake  
724 Aaron Arizmendi

RESERVE

750 Fernando Montes de Oca  
751 Sly Smith  
752 James Reynolds  
753 Juan Rios  
754 Joe Salazar  
755 Juanita Cordoza  
756 Cheryl Stewart  
757 Chip Gentry  
758 Juan Delgado  
759 Kevin Ramsey

760 Det. Sgt. Jim Zinnell  
761 Det. Sgt. Gary Pohl  
762 Det. Sgt. Gus Flores  
763 Cpl. Teresa LeBlanc  
770 Sgt. Richard Miller

Chip Gentry  
Lenaigh Stone  
Cheryl Stewart  
Trisha Reynolds  
Rosie Huff  
Lynda Hunter  
Pat Edgar  
Mike Foshee  
Mary Ann Gonzales

HER 03152

## MEMORANDUM

TO: Tom Seward  
FROM: Darrell Guidry  
DATE: October 23, 1991  
SUBJECT: Bid DC230

Plaquemine	\$213,000
Hercules	230,000
Empak	286,000
Platzer	339,800
Swiftships	348,000

Bud Taylor called and stated that Hercules was not getting the bid on DC230 due to our trouble with Mr. Casales. There is a \$17,000 difference between Plaquemine and Hercules. Moving the barge will cost them more than the difference between bids. Therefore, our bid was the lowest.

Bud said that K. Zezulka, his superior, decided that he didn't want any more trouble from Casales. Furthermore, with Casales we would overrun on work days because of the necessity to shut down when the wind is blowing towards Casales' house plus the chance again of front page newspaper exposure for Hercules and Dow.

HER 03153

Subject; Bob Casalle Complaint

On 12-14-91 at 4:45 P.M. Bob Casalle called and said quite loudly, "Chemicals, Chemicals, Chemicals". I asked him what type and where? He said, "everywhere". "In the air, on my car and in my house". I called Darrell and left a message on his answering machine. I then called Jesse Comacho. He had been at the yard earlier and before leaving had made sure all barges were sealed at our location. As no work was being performed on the Maine side, Jesse felt sure that nothing was open. I walked to the canal and neither saw nor smelled anything. I then called Bob Casalle back and told him we had found nothing to substantiate his claim. He then said, "Well if it's not gall it's not gall". He then hung up and I did not hear from him again.

Ray Pittman

HER 03154

On Site Inspections and/or Audits of HMSC Barge Cleaning  
and Repair Facility Since Acquisition by Hercules

<u>Date</u>	<u>Inspected By</u>	<u>Finding</u>
9/19/89	Texas Air Control Board	No deficiency
10/5/89	Bob Casale	No deficiency
10/10/89	Bob Casale	No deficiency
10/11/89	City of Freeport	No deficiency
10/13/89	City of Freeport	No deficiency
10/18/89	Bell & Murphy	No deficiency
11/30/90	Bob Casale	No deficiency
12/10/90	Dow Chemical	No deficiency
1/10/91	Dow Emergency Response Team	No deficiency
2/4/91	Bob Casale	No deficiency
2/5/94	Bob Casale	No deficiency
2/28/91	Bob Casale	No deficiency
5/18/91	Intertect, Inc.	No deficiency
5/21/91	Bob Casale	No deficiency
5/22/91	Bob Casale	No deficiency
6/11/91	Bob Casale	No deficiency
10/1/91	Bob Casale	No deficiency
10/3/91	Dow Chemical	No deficiency
10/7/91	Bob Casale	No deficiency
4/92	Dow Chemical	No deficiency

HER 03155

<u>Date</u>	<u>Inspected By</u>	<u>Finding</u>
5/6/92	Bob Casale	No deficiency
5/6/92	Freeport Fire Marshall/Chief	No deficiency
7/2/92	Bob Casale	No deficiency
8/2/92	Dow Environmental	No deficiency
1/29/93	Freeport Fire Department	No deficiency
2/3/93	Freeport Fire Department	No deficiency
2/17/93	Texas Air Control Board	No deficiency
3/17/93	Office of Attorney General	No deficiency
4/28/93	Freeport Fire Department	No deficiency
8/26/93	Bell & Murphy	No deficiency
6/93	Dow Chemical	No deficiency
10/20/93	Dupont	No deficiency
5/19/94	Bob Casales	No deficiency
11/4/94	The WCM Group, Inc.	No deficiency

Since inception of the company, there have been no significant deficiencies noted by any regulatory body or governmental authority and no fines have been imposed for any reason.

In addition to the above, the United States Coast Guard inspects every barge requiring a COI (Coast Guard Inspection) and notice is given to them prior to performing hotwork on a barge.

HER 03156

**On Site Inspections and/or Audits of HMSC Barge Cleaning  
and Repair Facility Since Acquisition by Hercules**

<u>Date</u>	<u>Inspected By</u>	<u>Finding</u>
9/19/89	Texas Air Control Board	No deficiency
10/5/89	Bob Casale	No deficiency
10/10/89	Bob Casale	No deficiency
10/11/89	City of Freeport	No deficiency
10/13/89	City of Freeport	No deficiency
10/18/89	Bell & Murphy	No deficiency
11/30/90	Bob Casale	No deficiency
12/10/90	Dow Chemical	No deficiency
1/10/91	Dow Emergency Response Team	No deficiency
2/4/91	Bob Casale	No deficiency
2/5/94	Bob Casale	No deficiency
2/28/91	Bob Casale	No deficiency
5/18/91	Intertect, Inc.	No deficiency
5/21/91	Bob Casale	No deficiency
5/22/91	Bob Casale	No deficiency
6/11/91	Bob Casale	No deficiency
10/1/91	Bob Casale	No deficiency
10/3/91	Dow Chemical	No deficiency
10/7/91	Bob Casale	No deficiency
4/92	Dow Chemical	No deficiency

HER 03157

<u>Date</u>	<u>Inspected By</u>	<u>Finding</u>
5/6/92	Bob Casale	No deficiency
5/6/92	Freeport Fire Marshall/Chief	No deficiency
7/2/92	Bob Casale	No deficiency
8/2/92	Dow Environmental	No deficiency
1/29/93	Freeport Fire Department	No deficiency
2/3/93	Freeport Fire Department	No deficiency
2/17/93	Texas Air Control Board	No deficiency
3/17/93	Office of Attorney General	No deficiency
4/28/93	Freeport Fire Department	No deficiency
8/26/93	Bell & Murphy	No deficiency
6/93	Dow Chemical	No deficiency
10/20/93	Dupont	No deficiency
5/19/94	Bob Casales	No deficiency
11/4/94	The WCM Group, Inc.	No deficiency

Since inception of the company, there have been no significant deficiencies noted by any regulatory body or governmental authority and no fines have been imposed for any reason.

In addition to the above, the United States Coast Guard inspects every barge requiring a COI (Coast Guard Inspection) and notice is given to them prior to performing hotwork on a barge.

HER 03158

11/30/90

Call Empak - Blake Erwin be in Monday  
12-3-90 Will Call then

\* Complaint from Charles: Smell of Sweet Odor  
since 11/29/90 - we have not opened a  
barge in 3 days due to wind direction.

Bess Moore - 239-1711 Water Treatment?

Beth German - in meeting will call back  
later





**Petroleum  
Bearings  
International**

**THE BEARING AND POWER TRANSMISSION SOURCE**

11/30/90

10:30 AM Bob Casals complained  
he had sweet odor @ his  
place. Had smell since yesterday  
11/29/90. We have not worked  
on cleaning barge since 11-24-90  
wind direction is bad for us.  
SINCE 11/28/90.

*[Handwritten signature]*

713-956-1160  
P.O. BOX 1000  
FLORENCE, AL 36688

915-362-7015  
ODESSA, TX

409-362-7015  
FLORENCE, AL

807-264-2905  
CASPER, WY

FAX 713-956-4122

HER 03160

12/16/90

Spoke to Bud Taylor w/ Dow Chemical.  
Bud said that Dow ~~is~~ can't take  
any chance due to Casale complaints.  
As long as Casale complains Dow stop  
sending us work. HADC will lose  
DC 360 - \$60,000 much job + 6 paint jobs  
approx. \$25,000 ea. Dow pulled business  
due to Casale twice since '89. Bud said  
Dow uses no chemically hazardous paint  
on their barges. Bud said Casale's  
complaint "unjust"

HER 03161

12-10-90

238-0213

Bud Taylor Can't take chance of liability  
DC 360 + plus 6 print jobs + mach. 60,000<sup>00</sup>  
As long as Casale cause trouble Don stop sending  
us work — Don want no chem. Haz. print  
Pulled bus. twice 89

No positive efforts taken since 89 (only dirt  
on containment wall)

\* Jim Evans BBT - Judge May — for some  
type injunction

\* Check w/ Bob Mullis about Nev. Expenses

Casale's called main office about banging  
barge 12-10-90 @ 9 AM — We were working  
on DC 357 + NMS 3100 — Also Muchowich were  
driving piling. Noise Ordinance 1964 City  
Freeport states 7 AM - 11 PM Mon - Sat  
No Noise Sunday 7 AM - 1 PM per Robbie Barnett

12-11-90

B. Mullis spoke John Waldo - Attn — no legal  
Recourse on Casale's — Can't put Restraining Order  
Can Sue — but little to gain. Waldo suggest  
cut some deal w/ Casale's — Little hope on  
recovering Don business.

HER 03162

Not a  
Casual Complaint

1/10/91

238-7335

Doc Adams w/ Dow Emerg. Response team arrived @ 11:AM. Had Complaint of benzene or Styrene Smell from across bridge. Canal near bridge — We spoke to Jim that down cleaning @ 10:AM — Mr Adams had just come from Complaint + had whiff of smell about 10:55AM — could not be HODC. I personally walked yard found no hatch undone, no blowing going on.

1st Camp	8:23 AM
2nd "	9:04
3rd "	9:45
Last	10:55

Call Mr. Adams @ 2:30pm Still had not found where odor originated. I Told him whenever we ~~can~~ could help let us know — Adams said he appreciated the cooperation.

HER 03163

2/1/91

9:45 Am

Bob Casales called - pounding on Gim  
108 woke him up Sat. Feb 2 + Feb 4 (today)  
The guys are putting in side plate +  
knuckle on the barge. I told this to  
Mr Casales. Mr Casales wants us to  
halt all banging until 10:Am (very unreasonable)  
I told Bob Casales were are not doing  
this on purpose - we have our jobs to do!  
I witnessed some of the banging about  
8:Am, it lasted less than 1 minute.  
Mr Casales stated even 1 bang disturbs  
him. I apologized to Mr Casales, but  
repeated this was not intentional, that  
we were only doing what was necessary  
to complete our job.

D. J. Day

Note T. Seward phone after I spoke  
to B. Casales. I informed him of the  
conversation between Casales + myself.

2/5/91

Bob Casales phoned to complain about banging on barge again this morning. He phoned @ 7:30 AM. & spoke to Sylvia Edwards (Office Mgr). Our crew was setting knuckle on G1m 108. Mr Casales very angry about banging.

He stated to Mrs Edwards that he knew we are polluting the ~~the~~ Intracoastal water ways and that maybe he would follow up on this, if we didn't stop early morning banging.

I was proceeding to phone Mr Casales when Tom Seward phoned - Mr Seward was informed of this situation. Mr Seward put in a conference call to Mr Casales. T. Hand & myself were on the phone when Mr Seward contacted Mr Casales. Mr Seward stated to Mr Casales his awareness of situation. During Mr Seward's statement of Hercules position Mr Casales hung up on conversation.

409  
233-5346

Bob Casales

12:45 PM  
no one Home

HER 03166

Called + Said  
Smelled Something  
No one working  
@ yard - No ~~one~~ <sup>He</sup> tank  
~~open~~ open - called  
about 12:40 - Not @  
home when I called.  
\* 2nd call 12:47pm

HER 03167



5/18/91

Casales Complaint (409) 233-5346

He called Roy Pittman @ yard  
Complaining @ 12:40 pm.

1<sup>st</sup> Call 12:45 pm NO ANSWER

2<sup>nd</sup> Call 12:47 pm NO ANSWER

3<sup>rd</sup> Call 12:54 pm

Bob said smell something  
since last night — did not  
clean barge for last 4 days. All  
work in yard now mech. This is  
Saturday — no Marine personnel  
working today. All barges & tank  
hatches closed tight.

He asked about blasting noise.  
Offshore Blasting in back by  
Mach.

5/18/91  
Casales Complaint (409) 233-5346

He called Roy Pitman @ yard  
Complaining @ 12:40 pm.

1st Call 12:45 pm NO ANSWER  
2nd call 12:47 pm NO ANSWER  
3rd call 12:54 pm

Bob said smell something  
since last night — did not  
clean barge for last 4 days. all  
work in yard now mech. This is  
Saturday — no Marine personnel  
working today. All barges + tank  
hatches closed tight.

He asked about blasting noise.  
Offshore Blasting in back by  
Much.

409 —  
233-5346

Bob Casales

12:45 PM  
No one  
Home

HER 03169

5/21/91

Bob Casales called to complain about sandblasting noise. Stated we were using high pressure blasting. I informed Bob that we only had 1 Blasting system.

There is no high pressure or low pressure sand blasting. The wind is blowing from the southeast so no sand is going

\*Casales claimed he would not put up w/ high press. of Freeport. We are in compliance of this regulation. Bob C. said that today noise level was high - probably due to fact we were blasting nearer his end - west side ways.

Also Bob C. claimed we were working on Sunday before 1pm. No Marine personnel worked Sunday 5/19/91. Offshore worked but after 1pm.

HER 03170

5/22/91

Bob Casales called @ 9:30am. Said he smelled Chemical Odor. No tanks, hangers or chemical open today. I went out in yard - all hangers gas free, only printing DC 340. Bob said "not paint fumes" Wind from easterly direction, we have no blasting open going today. I went to Bob's house, I could not even smell printing Odor.

No Chemical Odor detectable. - Bob said he will get plants to vent hangers @ plant before coming here! He stated he will reside in this area! I said we need to work and are striving to be good neighbors - I said we are watching wind direction to avoid any problems for him & us.

No Odor was detectable @ his home

2:45pm 6/11/91

B. Casales called to say we had 2 smoke stacks blowing fumes @ his house. I investigated this situation. The NMS SCC 804 is being blasted internally. The Tanks were cleaned and Marine Chemist Cert. The blasting of the tanks internally is being vented by 2 Copus blowers. Wind direction is ~~NNE~~ <sup>ESE</sup> @ 15 mph. I personally went to each blower and smelled the exhausted air, No fumes of any kind are being emitted. No other barge in the yard is open that may emit fumes. All of our tanks are closed due to possible rain, and wind direction. Mr. Casales stated our crew had gas masks. I told him they had blasting hoods.

Harassment

*[Signature]*

Item: SCC 804 is a Caustic barge  
Caustic has no smell

Faxed 8/5/91

12:45pm

8/5/91

TO: T. Seaward  
FROM: D. Guichy

Dow Chemical conducted an environmental audit of our yard today. Everything went ok. The cleaning facility passed with no problem.

Dow made a few recommendations to change our procedures.

1. Put MSDS sheet w/ our HAZ-Comm. training form — DONE 8/5/91
2. Make sure everyone signs HAZ-Comm form — DONE 8/5/91
3. Update our cleaning procedure to reflect changes — will have completed by end of week

Dow did address the issue of our waste water. Dow will want to stop deep well injection in the future. I explained our plan to install a water treatment facility, but did not give them any date as to when it would be completed. Dow seemed to be satisfied with this info.



HER 03173

8/5/91

TO: T. Seward  
FROM: D. Guichy

Dow Chemical conducted an environmental audit of our yard today. Everything went ok. The cleaning facility passed with no problem.

Dow made a few recommendations to change our procedures.

1. Put MSDS sheet w/ our HAZ-Comm. training form — DONE 8/5/91
2. Make sure everyone signs HAZ-Comm form — DONE 8/5/91
3. update our cleaning procedure to reflect changes — will have completed by end of week

Dow did address the issue of our waste water. Dow will want to stop deep well injection in the future. I explained our plan to install a water treatment facility, but did not give them any date as to when it would be completed. Dow seemed to be satisfied with this info.



HER 03174

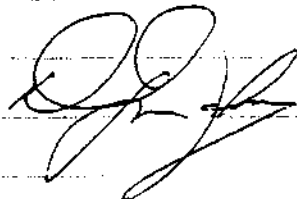
10-1-91

8:30 Am

Bob Casales Called to Complain about sand blasting operation noise. @ 7:Am 10/1/91 HODC started blasting on barge in the #3 slip wind direction was out of north. @ 8:30 wind direction still from the north. Mr Casale claims we woke him up w/ the noise. I Explained to Mr Casale that the Freeport City Ord. gives us the right to work from 7:Am til 11:pm each week day.

The ~~the~~ sand blast particulate was not going toward his home. He stated that this was not his reason for complaining today, but restated that the noise was the problem. Mr Casale asked if we could blast later in the day so he could sleep. I Explained that we start blasting early so we could paint all our area before dark. I apologized for the noise that woke him up but restated our rights due to City Ord. 20-1-20-12

Note: Wind shifted about 8:40 Am we shifted our operation to back hand point near Muck Dock.



HER 03175



Casales called  
Jim Overman —  
Dow

\* Casales has  
video tape of  
Blasting operations

733-5346 Advise ~~Cuba~~ B.C.  
on getting  
financing to build  
street  
10/2/91  
Call 12:40pm - Ans. mach  
" 2:05pm - " "

10-3-91

Ken Zarulka w/ Don phoned to inform us of a Complaint Don received from Bob Casales.

Casales complained to Don about Sand Blasting operation. I told Ken we are doing Everything possible to Accommodate Mr. Casales.

I Explained about our wind monitoring procedures and our work on Blasting shed.

Ken recommended a closer verbal communication w/ Casales.

Casales Complaint was lodged about 10pm 10/3/91 to Jim Overman. Casales claims to have video tapes of our blasting operation.

HER 03177

TO Tom Seward  
From D. Guidry

Faxed  
10/7/91  
8:40 AM

10/7/91

On Saturday 10/5/91 Ray Pitman (Offshore dispatcher) received a phone call about 1pm from Bob Casales. Mr Casales was complaining of a headache. Mr Pitman told Mr Casales he would check into this complaint.

Mr Pitman found no evidence of Hercules workers on the Marine side. No Marine personnel were at the yard, all barges and tanks were closed up tight. The wind was blowing from the NE towards Mr. Casales home.

About 30 minutes later Mr Casales phoned again to complain about his headache. At this time Mr Pitman explained to Mr Casale that no work was taking place <sup>from</sup> on the Marine division and that all tanks & barges were closed. Mr Pitman suggested that Mr Casale check elsewhere for the source that was causing his headache.

Around 2pm Mr Casale phone a 3rd time. Mr Casale was extremely upset. Casale stated that "he had enough of us causing him problems."

Mr Pitman again stated that no work was being done within the facility and asked Mr Casale not to bother Hercules again. Mr Casales did not call again.

HER 03178

Faxed 10/7/91  
8:40 AM

10/7/91

TO Tom Seward  
From D. Guidry

On Saturday 10/5/91 Ray Pitman (offshore shipatcher) received a phone call about 1pm from Bob Casales. Mr Casales was complaining of a headache. Mr Pitman told Mr Casales he would check into this complaint.

Mr Pitman found no evidence of Hercules workers on the Marine side. No Marine personnel were at the yard, all barges and tanks were closed up tight. The wind was blowing from the NE towards Mr. Casales home.

About 30 minutes later Mr Casales phoned again to complain about his headache. At this time Mr Pitman explained to Mr Casale that no work was taking place <sup>from</sup> the Marine division and that all tanks & barges were closed. Mr Pitman suggested that Mr Casale check elsewhere for the source that was causing his headache. Around 2pm Mr Casale phone a 3rd time. Mr Casale was extremely upset. Casale stated that "he had enough of us causing him problems."

Mr Pitman again stated that no work was being done within the facility and asked Mr Casale not to bother Hercules again. Mr Casales did not call again.

HER 03179

TO: T. Seward  
From: D. Guidry

10/8/91

Received phone call from Ken  
Zezulka w/ Doug. Doug has received  
another complaint about blasting dust.  
Mr Zezulka received a call from  
Tim Overman w/ Doug saying our  
neighbors next door were complaining

TO: T. Seward  
From: D. Guidry

10/8/91

Received phone call from Ken  
Zezulka w/ Dow. Dow has received  
another complaint about blasting dust.  
Mr Zezulka received a call from  
Jim Overman w/ Dow saying our  
neighbors next door were complaining  
about dust.

We were watching the wind Extra  
close. We were blasting far in the  
back. The wind was not bothering  
anyone up front in the office  
area but we still received a  
complaint.

We shut down all blasting!

Mr Zezulka said he is tired of  
being put in the middle. Zezulka  
said to solve this problem. He does not  
want to have to stop doing business  
w/ H&C, but ~~but~~ he may have very  
little choice in the matter.

10/10/91

8:20 am

Started Blasting operations on Bridge  
on Rail. Wind Due North no deflection.  
Shut down on our own.

Blasted 5 min. — took 1 1/2 hrs to  
set up equipment — lost all man hrs.  
6 people (9 hrs.)

Our agreement w/ TACB — not  
blast when wind out of N.E.

But w/ recent complaints from B.C.  
I decided not to blast today.

12/25/91

During Monday staff meeting Larry Ballinger (Salesman) informed us that our customers are not sending us cleaning jobs because they are aware of our problem w/ wind direction.

Larry visited recently w/ Gim & Hobland. Both stated that our cleaning business from them suffers mainly due to our problem of having to shut down because of wind direction. We could possibly increase our cleaning revenue by  $\frac{1}{3}$  monthly if we did not have to shut down for changing wind direction.



11:20 AM Wind @ N.E

7/21/92

Casale Call + Complained of Odor. Larry B. + I went to Casale's House to investigate. We arrived about 11:24 AM. There was an Odor in the Air, but ~~it~~ it did not smell of chemical. It was like some type of plant smell. The odor greatly went away about 1-2 min. after we arrived.

The wind was blowing in a constant NE direction the whole time we were @ Casale's house. We spoke to Casale and explained that we did not have a barge that was being cleaned, no tanks were opened and that the (2) barges in the yard had been gas freed for days.

Casale asked if anyone farther NE from us was doing anything. I said that we did not know, that was not our concern.

Larry invited him to come see for himself that our facility was not the emission source. Mr. Casale declined.

Larry + I then drove to our western boundary and walked to the ICW. No odor was detected. We checked several plants which grow around the area and a couple had odors that could have been the same odor @ Casale's house, but these plants emitted very low concentrated odors.

HER 03183

Yard Inspection by Fire Marshall;

On Wednesday Night, 8-12-92 @ 11:00 P.M. I recieved a call from Doc Adams of Dow Environmental. He stated that he had recieved a call from one of our neighbors complaining of a strong odor. I called Jessie to find out what barges were on the yard & what they contained. The two barges on the yard were gas free and there was no barge in the clearing ship. I walked the yard and found nothing to substantiate the complaint. I called Doc back and told him we were clear. As I was hanging up, the fire Marshall of Freeport drove onto the yard. He asked me to escort him around the yard. I called Jerry Balinger and informed him of the situation. He told me to allow the Marshall to inspect the yard. I called Jim & told him what was going on and that I would be away from the phone a few minutes. The fire Marshall found nothing as a basis for complaint. I called Jerry and Jim and told them we were O.K. As the fire Marshall was leaving the Police pulled up. He told them we were all clear. No Odor was coming from our yard. They both then left.

Ray Pittman

# GENPOWER

## Pump & Equipment

Deer Park, Texas  
713/476-9268

Texas City, Texas  
409/848-1848

Port Lavaca, Texas  
512/552-7867

San Antonio, Texas  
210/662-7867

Houston, Texas  
713/682-2397

Freeport, Texas  
409/265-7867

### Emergency 24-Hour PUMP Rentals

Saturday 3/25/95 - Neighbors of CASALE  
next DOOR FRIEND coming by drive by  
Hearst. Wind was out South (Blowing north)

Monter CASALE call small over the wind  
is out SE ESE walking on T.P. 1 342 on wing  
Tank, Barge was SUE FREE 3/25/95 also  
Strip & Blow ETL 112 at 4:40 AM on same

\* All Barge ARE PUNE before Blow Day

3/29/95  
B DC 353 Strip & Blow Day  
ETL 119 Strip & Blow Day Cylor  
Ham/Out Repair



Kubota

H&H  
PUMP AND DREDGE  
COMPANY

INGERSOLL-RAND  
CONSTRUCTION EQUIPMENT

YAMAHA

\*\*\*\*\* UF-250 \*\*\*\*\* -JOURNAL- \*\*\*\*\* DATE OCT-16-1989 \*\*\*\*\* TIME 07:23 \*\*\*\*\*

NO.	COM	DOC	DURATION	X/R	IDENTIFICATION	DATE	TIME	DIAGNOSTIC
30	OK	04	00:03:05	SMT	T 17137894063	OCT-16	07:20	840440AC0800

-FHEH ENOF MARINE CPU FRF1-

\*\*\*\*\* -PANASONIC- \*\*\*\*\* 409 233 8375- \*\*\*\*\*

HER 03187



Strength through experience, equipment, know-how  
11381 Meadowglen Lane □ Houston, Texas 77082 (713) 497-7934

MARINE DIVISION  
TELEFAX TRANSMITTAL

TELEPHONE NO: 409/233-6371

TELEFAX: 409/233-6375

FROM: Raymond Mickey DATE: 10-16-89

Number of Pages (including transmittal) 4. Please advise if you  
do not receive message in its entirety.

TO: Raymond  
C/O Hercules

FAX #: \_\_\_\_\_

MESSAGE: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

CC: \_\_\_\_\_

CHARGE NO: \_\_\_\_\_



HER 03188

11  
Bob Casale  
Rt. 3 - 135 Snapper Lane  
Freeport, Texas 77541

October 5, 1989

Hercules  
General Manager  
Rt. 3 - 904 Marlin Lane  
Freeport, Texas 77541

Dear Sir:

For the past year that your company has been in business at the Freeport location adjacent to Bridge Harbor Subdivision, we have had major problems with your operation. As you know prior to your business being operated at that location we have had similar problems with the previous owners.

In the past and recently we have informed you of several issues which are damaging to our health and property.

First issue being the opening of chemical barges; I have been informed by the Texas Air Control Board and the EPA as to the hazardous materials your operation handles. In the past there has been times that our house and the subdivision were filled with the odor of styrene and benzene gas.

As you know it is un-lawful to open chemical hatches in the intercoastal water-way. We are concerned why your company would continue to operate in such a close proximity to residence.

Our second concern is your sand blasting operation. We have called you numerous times complaining about the over spray of the sand blasting entering our house and causing damage to our house and automobiles. I understand that the Texas Air Control Board cited you recently for that problem; but to no avail you continue your damaging practice.

Our third concern is the banging of barges all hours of the day and night. Your operation is a seven day a week; twenty four hours a day nuisance. Each time we call you about the noise, you increase the noise to annoy us even more.

Our fourth concern is the out-door loud speaker that you operate. We have called your attention to this many times and you continue to operate so that it is heard through-out the subdivision.

As you know at the time of our complaints we have called the Community Awareness and Emergency Response organization and called Mr. Jim Overman with Dow Chemical who investigated several complaints. Showing concern I was told by Mr. Overman that at



HER 03189

one time Dow refused sending you barges because of your mis-handling. I was also told by BASF Corporation that they do not send barges to your business because of mis-handling.

We have experience sick conditions such as watery eyes, tightness of the chest, headaches and nasal congestion. At one time the chemicals from your operation killed all the leaves from the trees on the east side, through-out the whole subdivision.

We are informing your organization that we are holding you responsible and liable for any and all damages including health and property to us and demand that your operation cease to allow chemical gases and over spray of sand blasting to affect our home environment.

We trust that you take this matter into very critical consideration.

Thank You,

*Bob Casale*  
*Stella Casale*

Bob and Stella Casale

cc:  
Air Control Board  
City of Freeport  
U.S. Coast Guard - Galveston  
EPA - Dallas  
Tom Delay U.S. Representative  
J.E. "Buster" Brown - State Senator  
John Willy State Representative  
State Attorney General

Residence of Bridge Harbor Subdivision:  
Letter dated October 5, 1989

JEFF FOURRIER  
66 MARLIN  
FREEPORT, TX 77541  
233-3605

DENNIS + JOANNE HENDER  
RT 2 BOX 117C  
Bay City, TX 77541  
116 RED FISH  
FREEPORT TX 77541

B.K. Schoppins :  
DEANSA Schoppins  
PO Box 3010-A  
118 Redfish Lane  
Freeport, TX 77541

Ruth Busby  
RT #3 - 63 Marlin  
Freeport, TX 77541  
233-4817

Bettie Lewis  
RT #3 Box 61 Marlin  
Freeport TX 77541  
233-6285

Julie Cunsworth  
92 Dolphin Ln  
Freeport, TX 77541  
409-233-7435

James & Dorothy Pivney  
101 Dolphin Lane  
Freeport Texas 77541

BOB J. ARMSTRONG  
38 TARPON LANE  
265-5432

DANNY MANCHES  
MARLIN LANE (SHIPPING PORT)  
233-3466 (MISS NE NE)

BEN SCHNAPF  
82 DOLPHIN, LN.  
233-3416 -

Mike Momen  
87 Dolphin Ln. Rt. 3  
Freeport, Tex. 77541  
409-233-7227





Strength through experience, equipment, know-how  
11381 Meadowglen Lane D Houston, Texas 77062 (713) 497-7934

MARINE DIVISION  
TELEFAX TRANSMITTAL

TELEPHONE NO: 409/233-6371

TELEFAX: 409/233-6375

FROM: Sylvia

DATE: 9-25-90

Number of Pages (including transmittal) \_\_\_\_\_. Please advise if you  
do not receive message in its entirety.

TO:

Tom Seward  
C/O HOV

FAX #:

MESSAGE: I spoke with Mrs. Casale  
regarding lunch date next Fri  
@ 11:30 AM @ Bridge Harbor with  
Mr. Casale. She felt like he would  
enjoy the meeting & as soon as  
he gets home she will relay the  
message. So its a go for now  
until further notice.

Sylvia

CC: \_\_\_\_\_

CHARGE NO: \_\_\_\_\_



HER 03192



*Strength through experience, equipment, know-how*

P.O. Drawer O  
Freeport, Texas 77541

Office: (409) 233-6371  
Fax: (409) 233-6375

Oct 15, 1991

TO: Tom Seward  
FROM: Darrell Guidry  
  
SUBJECT: Casale Meeting

I went over to Bob Casale's home. I inquired about recent calls made to Dow about sandblasting problems. Bob did say he called once or twice, he wasn't very clear on how many times he called. I asked him why he called Dow when we had agreed for him to call us first. Bob said that he didn't call Dow but that he contacted "CAER". Caer is part of the Dow Emergency Response team for Freeport area. I asked Bob if he knew that Caer was actually part of Dow. He said he knew that they were associated. He claims he called Caer because they had helped him some other time with a problem he had at his business. Several times during the conversation Bob stated he could not recall exactly how many calls he made to Caer or what his specific complaint happened to be.

I asked Bob again to call us if he thought he had a problem. I also showed him prints of the proposed shed (just as you and I had discussed.)

He is doing some additional construction to his home. He said he wants to get along with us as long as we don't bother him. He still believes that we are sending bad chemicals his way. I assured him that Hercules does not do anything that could or would harm him or the community. I restated our position that we watch the wind constantly.

On the noise issue, he stated we woke him up. I assured him that we don't do anything out of the ordinary. I explained our procedure about blasting early so we can paint before dark. I also said that we don't blast everyday. Tom, I still believe that Bob Casale would be happier if he could shut down all industry in this area. He stated that he will be trying to raise money for Caer and Wild Life and Fisheries. I took this as a hidden threat. It gave me the impression that he is trying to get closer to these people in case he may need them later.

CAER stands for Community Action Emergency Response

HER 03193



*Strength through experience, equipment, know-how*

P.O. Drawer O  
Freeport, Texas 77541

Office: (409) 233-6371  
Fax: (409) 233-6375

TO: Tom Seward  
FROM: Darrell Guidry

Met with Bud Taylor concerning my phone conversation with Ken Zezulka. Bud was unaware of Ken's call to Hercules Offshore Corp. I informed Bud of content of conversation. Bud feels shed for blasting will not solve Casale's problem, he feels Casale will always find something to complain about. The shed idea is sound because it will facilitate our efforts in painting and blasting. It will also help us when the Clean Air Act is passed.

Dow has no intentions of pulling out the business presently. Bud did say that Dow feels Hercules Offshore Corp is being unjustly accused by Casale. But this still doesn't stop Casale from calling Dow. Bud feels that as long as Casales has anything that he can complain about, Hercules Offshore Corp has a potential problem keeping the Dow business.

Bud still feels the only permanent solution to the Casale problem is through legal action.

HER 03194

The Texas Air Control Board notified Freeport police dept @ 11:30AM of a complaint from a Bridge Harbor resident about benzene odors. The Freeport police responded by sending the Freeport Fire Chief Bob Johnson, the Fire Marshall Ron Gaines and City Engineer Rob Blair to investigate. The complaintant had told TACB that the odor was so bad he had to evacuate his home. The three investigators arrived at the Hercules yard @ 12:15PM. Mr. Gonzalez our barge cleaning foreman escorted them to the cleaning area, where they could check for odors. Mr. Gonzalez told me that he showed them several barges in the cleaning area and also gave them documents showing the barges to be odor and gas free. Mr. Johnson stated that he could not detect any odor. He stated that he will send a report to TACB saying that no odors were detected.

It happened that between 11:00AM and 12:00PM today, U.S.C.G. Chief Alford was inspecting a barge in our yard. This barge lay in a direct line between the cleaning facility and Mr. B. Casale's home. If any odors were being emitted Chief Alford would have cited our facility.

Mr. Jim Overman with Dow Chemical was also contacted by Mr. B. Casale about 11:30AM. Mr. Casale complained about sand and odors. Mr. Casale stated that his home was full of sand. Hercules was notified @ 9:30AM by Mr. Casale that sand dust was blowing his way. Hercules was already in the process of shutting down our blasters. We had started blasting about fifteen minutes earlier. Mr. Overman also called Mr. Bob Johnson, the Freeport Fire Chief. Mr. Johnson told Mr. Overman that no odors were detected. Mr. Overman told me that he is classifying this as a non-incident.

Mr. B. Johnson's written report will be sent to the TACB. I have requested a copy.

  
\_\_\_\_\_  
Darrell Guidry/Project Manager

DATE: May 6, 1992

cc: T. Seward  
~~E. Larkin~~  
L. Eakin

HER 03195

# RECORD OF CALLS

No. 258 Time 8:30pm Date 050692 Offense No. \_\_\_\_\_  
 Call Reported by Bob Cassell  
 Address 135 Snapper Lane Bridge Harbor Phone 233-5346  
 Complainant \_\_\_\_\_  
 Address \_\_\_\_\_ Phone \_\_\_\_\_  
 Place of Occurrence Hercules Offshore Engineering  
 Nature of Call Foul Odor  
 Officers Assigned P. Bailey  
 Call Received by Hinson \_\_\_\_\_ ps \_\_\_\_\_ Telephone  
 In Person

## REMARKS:

located a crew air blasting a barge and emitting a slight odor but their work is within regulations. They will be quitting for the night at approximately 9:30pm.

HER 03196

\*\*\*\*\* 05-250 \*\*\*\*\* -JOURNAL- \*\*\*\*\* DATE MAY-21-1992 TIME 10:32 \*\*\*\*\*

REF	OBJ	DOC	DURATION	EXP	IDENTIFICATION	DATE	TIME	DIAGNOSTIC
17	OK	05	00:03:34	KMT	T	17132245271	MAY-21 10:29	840440280000

-Hercules Marine

\*\*\*\*\* -PANASONIC- \*\*\*\*\* 409 200 5075 \*\*\*\*\*

HER 03197



Strength through experience, equipment, know-how

MARINE DIVISION  
TELEFAX TRANSMITTAL

TELEPHONE NO: 409/233-6371

TELEFAX: 409/233-6375

FROM: DARRELL GUILDAY DATE: 5-21-92

Number of Pages (including transmittal) 5. Please advise if you do not receive message in its entirety.

TO: LARKIN  
C/O Woodard, Hall, & Purn  
FAX #: 713-224-3271

MESSAGE: For your Files

CC: \_\_\_\_\_

CHARGE NO: \_\_\_\_\_

HER 03198

May 6, 1992

The Texas Air Control Board notified Freeport police dept @ 11:30AM of a complaint from a Bridge Harbor resident about benzene odors. The Freeport police responded by sending the Freeport Fire Chief Bob Johnson, the Fire Marshall Ron Gaines and City Engineer Rob Blair to investigate. The complaintant had told TACB that the odor was so bad he had to evacuate his home. The three investigators arrived at the Hercules yard @ 12:15PM. Mr. Juan Gonzalez our barge cleaning foreman escorted them to the cleaning area, where they could check for odors. Mr. Gonzalez told me that he showed them several barges in the cleaning area and also gave them documents showing the barges to be odor and gas free. Mr. Johnson stated that he could not detect any odor. He stated that he will send a report to TACB saying that no odors were detected.

It happened that between 11:00AM and 12 noon today U.S.C.G. Chief Alford was inspecting a barge in our yard. This barge lay in a direct line between the cleaning facility and Mr. B. Casale's home. If any odors were being emitted Chief Alford would have cited our facility.

Mr. Jim Overman with Dow Chemical was also contacted by Mr. B. Casale about 11:30AM. Mr. Casale complained about sand and odors. Mr. Casale stated that his home was full of sand. Mr. Casale told Mr. Overman that he had already contacted the TACB.

Hercules was notified @ 9:30AM by Mr. Casale that sand dust was blowing his way. Hercules was already in the process of shutting down our blasters. We had started blasting about fifteen minutes earlier. Mr. Overman also called Mr. Bob Johnson the Freeport Fire Chief. Mr. Johnson told Mr. Overman that no odors were detected. Mr. Overman told me that he is classifying this as a non-incident.

Mr. Johnson's written report will be sent to the TACB. I have requested a copy.

  
Darrell Guidry/Project Manager

cc: Tom Seward  
L. Eakin

HER 03199



May 7, 1992

Blasting GIM-1155 - wind started out North shifted to Northeast - Put bird house on barge-reduce sand dust emission about 60-70%.

No complaints during morning - Jim Ebarb blasting also. About 2:00PM Jim Perron phones and said that we had been doing a very good job with our blasting but wishes we would watch the wind. We were still blasting under house-emissions low, we finished up about 2:20PM had to paint area blasted.

About 3:45PM Air Control Board people arrived to investigate odor and blasting complaint from 5-6-92. Teresa Lee representative TACB said she detected no odor or blasting problem at this time (we were shut down). I told her on the morning of 5/6/92 we only blasted for about 15-20 minutes. We tried to use the bird house but the wind gust were too strong (25-30 mph). She asked about the odor. I explained that we had cleaned a barge early in the morning and that the product was EDC. The cleaning did not take long and the barge was gas free @ 10:30AM. I also explained that we had been investigated by the Freeport Fire Dept on the morning of 5/6/92 and suggested she phone Fire Chief Bob Johnson.

She asked about how we intended to try to control our odor/sand problems. I told her about our request for a construction permit to use a vapor scrubber and flare for odors. I showed her the tent and blueprints of our shed. She was very pleased to see that we were taking steps to eliminate these problems that cause our neighbors to complain.

Ms. Lee said she will make a follow up visit next week.

  
Darrell Guidry/Project Manager

cc: T. Seward  
L. Eakin.

HER 03200

# RECORD OF CALLS

No. 258 Time 8:30pm Date 050692 Offense No. \_\_\_\_\_  
 Call Reported by Bob Cassell  
 Address 135 Snapper Lane Bridge Harbor Phone 233-5346  
 Complainant \_\_\_\_\_  
 Address \_\_\_\_\_ Phone \_\_\_\_\_  
 Place of Occurrence Hercules Offshore Engineering  
 Nature of Call Foul Odor  
 Officers Assigned P. Bailey  
 Call Received by Hinson ps Telephone In Person

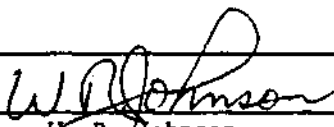
## REMARKS:

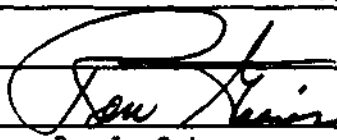
located a crew air blasting a barge and emitting a slight odor but their work is within regulations. They will be quitting for the night at approximately 9:30pm.

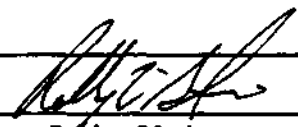
HER 03201

DATE: May 6, 1992 TIME: 11:45PM RUN NUMBER: 92FP238  
LOCATION OF INCIDENT: Hercules Offshore Drilling Company  
TYPE OF INCIDENT: Request for Texas Air Control Board

DESCRIBE INCIDENT IN DETAIL: This Officer received a telephone call from the Freeport  
Police Department at 11:45 A.M. on May 6, 1992, in regards to a telephone call they  
had received from Linda Vasse of the Texas Air Control Board in <sup>(Houston)</sup> ~~Austin~~, Texas.  
Ms. Vasse advised that she had received a call from a citizen advising that Hercules  
Offshore Drilling Company located at 906 Marlin Drive in Freeport, Texas, had opened  
a barge that had contained "Benzene", releasing fumes that had forced the nearby  
resident from his home. I contacted Fire Marshal Ron Gaines and Code Enforcement  
Officer Robby Blair to accompany me to the scene. Upon our arrival at approximately  
12:10PM we meet with an employee named Juan who escorted us out to three (3) barges  
located in a slip. Also accompanying us was Freeport Police Officer Sgt. T. Smith.  
We climbed aboard the barges and walked around, but were not able to smell any strong  
odors. The Hercules employee stated that they had not opened any newly received barges.  
that these barges had been in the slip for several days. We could not locate any  
source of the strong odors. We left the scene at approximately 12:45PM.

  
W. R. Johnson  
Fire Chief

  
Ron L. Gaines  
Fire Marshal

  
Bobby Blair  
Code Enforcement Officer

RECEIVED

MAY 21 1992

HERCULES OFFSHORE  
MARINE DIVISION

SIGNATURE:  DATE: 5-14-92 TIME: 14:20pm

HER 03202

**MEMORANDUM**

**TO:** Tom Hord  
Bob Millis  
Jesse Camacho  
Larry Ballinger  
Sylvia Edwards


**FROM:** Tom Seward

**DATE:** November 24, 1993

**SUBJECT:** Draft Letter to Governor Richards

Please review the attached draft letter to Governor Richards and let me have your comments.

TJS/bsr  
Attachment

**HER 03203**

**HERCULES MARINE SERVICES CORPORATION**

P.O. DRAWER O  
FREEPORT, TEXAS 77541

November 24, 1993

The Honorable Ann W. Richards  
Governor of Texas  
P.O. Box 12428  
Austin, TX 78711

Dear Governor Richards:

We're looking for a little recognition from our state government. We think we've earned it. Hercules Marine Services is a small company located along the intracoastal waterway in Freeport, Texas. Our business is the cleaning and repair of chemical barges. We are one of scores of service companies that are part of what I believe is the largest petrochemical complex in the world. Our customers are the nearby major chemical companies, such as Dow and Dupont.

Over the past few years we have seen our business decline drastically as a resident of a nearby subdivision repeatedly complained to our major customer, to every regulatory agency in any way responsible for environmental issues, to the local police and fire departments and to the U.S. Coast Guard. Not once has Hercules been cited for environmental infractions. To the contrary, we voluntarily adopted procedures, at significant financial sacrifice, to demonstrate a genuine good neighbor approach to what became a determined and unfair adversary.

Among other measures, we ceased cleaning barges when the wind blew toward the subdivision, we substituted radios for a more efficient loudspeaker system, and we significantly reduced the amount of barge repair work that included repainting and, hence, sandblasting. Notwithstanding the fact that our barge cleaning and repair operations predated the construction of the housing subdivision, notwithstanding the fact that we and the subdivision are on land zoned for industrial purposes, and notwithstanding our good neighbor attitude and policies, we have witnessed a business decline unrelated to any slowdown in the chemical industry.

HER 03204

The Honorable Ann W. Richards  
November 24, 1993  
Page Two

Faced with two choices, terminate all employees and shut the doors or become *the* state of the art facility, we decided to bite the bullet and embark on a major capital expenditure program. These costly improvements are not justified on the basis of a rational analysis of our business, since revenues steadily declined as complaints to our major customer accelerated and red ink replaced black ink.

We are installing equipment that goes well beyond present regulatory requirements. We will be able, among other enhancements, to clean barges irrespective of the wind direction, since particles or gases will not be released to the open air. Parenthetically, it is important to mention that none of the barges we clean contain toxic substances such as benzene. In fact, the items stowed beneath the average kitchen sink are a representative cross section of what we routinely encounter in our barge cleaning activities.

Here is what we respectfully ask of you, Governor Richards, and of the state of Texas. In this era of environmental concern, please direct an inspection of our Freeport facility while construction is underway. See firsthand the linking of social consciousness and the quest for a reasonable and fair profit. We have had a rough go of it. Only time will tell if our *damn the torpedoes, full speed ahead* approach was the right decision.

It will be a great boost to our loyal and long standing employees, the majority of whom have been laid off during the past year, if the state of Texas by visiting and inspecting our facility demonstrates its concern for their plight while at the same time acknowledging the significant investment by the company in modern, environmentally safe equipment.

Respectfully yours,

Thomas J. Seward II  
President

TJS/bsr

HER 03205